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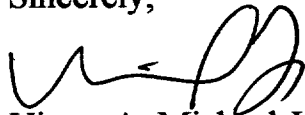
February 16, 1999

Magalie Roman Salas, Esquire  
Secretary  
Federal Communications Commission  
Room 222  
445 12th Street, S.W.  
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Walsenburg, Colorado.

Sincerely,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, Wyoming 82009

307-778-9318

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FEDERAL COMMUNICATIONS COMMISSION  
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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the matter of:

Amendment of Section 73.202 (b)

Table of Allotments

FM Broadcast Stations

(Walsenburg, Colorado)

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**PETITION FOR RULE MAKING**

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 267C3 (101.3 Mhz) to Walsenburg, Colorado as its second FM allotment.

**INTRODUCTION**

1. This statement is a petition for rule making to allot FM channel 267C3 (101.3 Mhz) to Walsenburg, Colorado and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 267C3 to Walsenburg will have.

**DISCUSSION**

2. Walsenburg is located in south central Colorado. It is also located within Huerfano County, a county of some 6,009 persons. Walsenburg has a population of 3,300 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 267C3 to Walsenburg will provide the second local FM broadcast facility to the community and/or the surrounding area. The closest other FM allotment to Walsenburg is located at Pueblo, CO. . Pueblo is located 73 kilometers from Walsenburg. KSPK(FM) is licensed to Walsenburg, Colorado. KSPK(FM) operates on channel 272C3 (102.3 MHz) with 17,000 watts ERP at 430 feet, HAAT. KSPK holds a Construction Permit to increase its ERP to 100,000 watts and change its class to 272C1. The allotment of channel 267C3 would provide Walsenburg and Huerfano County with its Second "wide area" coverage station.

4. Walsenburg would greatly benefit from an FM allotment due to the fact there is no other AM or FM broadcast facilities, except KSPK(FM), within 73 Kilometers of Walsenburg. Health and safety for the community would be increased due to having an additional local communications outlet for warning the Walsenburg area of emergency conditions caused by severe weather or other health hazards. The allotment of channel 267C3 will provide the second "wide area" service to the Walsenburg area.

5. Channel 267C3 can be allotted to Walsenburg and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

|                      | <u>Present</u> | <u>Proposed</u> |
|----------------------|----------------|-----------------|
| Walsenburg, Colorado | 272C1          | 272C1, 267C3    |

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 267C3 and the pertinent adjacent channels to 267C3 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing study ( N 37 - 37' - 30", W. 104 - 46' - 54") are that of a site located within the community of Walsenburg. No site restriction will be required to allot channel 267C3 to Walsenburg. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Walsenburg. These sites would also provide full minimum spacing requirements to other allotments.

### CONCLUSION

7. It has been shown that Walsenburg would benefit from the allotment of channel 267C3. It has also been shown that channel 267C3 can be allotted to Walsenburg and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to add channel 267C3 for Walsenburg, Colorado , 73.202.

8. Should channel 267C3 be allotted to Walsenburg, Colorado, I certify that I will file an application for a Construction Permit to operate an FM station for Walsenburg, Colorado.

## **CERTIFICATION**

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: February 10, 1999

Respectfully submitted,



Victor A. Michael Jr.  
President  
Mountain West Broadcasting  
6807 Foxglove Drive  
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 267C3 (101.3 MHz), at N. 37 37 30, W. 104 46 54.

Searching Channel 267C3 (101.3 MHz):

| CALL   | CITY             | ST | CHN | CL | S | DIST  | SEPN  | BRNG   | CLEARANCE |
|--------|------------------|----|-----|----|---|-------|-------|--------|-----------|
| ALC    | Pueblo           | CO | 264 | C  | U | 108.7 | 96.0  | 11.8°  | 12.7      |
| KGFT   | Pueblo           | CO | 264 | C  | L | 124.6 | 96.0  | 356.8° | 28.6      |
| ALC    | Denver           | CO | 266 | C  | U | 236.9 | 176.0 | 350.4° | 60.9      |
| KOSI   | Denver           | CO | 266 | C  | L | 236.9 | 176.0 | 350.4° | 60.9      |
| ALC    | Durango          | CO | 267 | C1 | U | 279.0 | 211.0 | 261.7° | 68.0      |
| KIQX   | Durango          | CO | 267 | C1 | L | 279.0 | 211.0 | 261.7° | 68.0      |
| ALC    | Colorado Springs | CO | 270 | C  | U | 124.5 | 96.0  | 356.8° | 28.5      |
| KKCSFM | Colorado Springs | CO | 270 | C  | L | 124.5 | 96.0  | 356.8° | 28.5      |

FIGURE 1  
MOUNTAIN WEST BROADCASTING  
WALSENBURG, COLORADO